

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE PETITION OF )	ORDER GRANTING
VENTURE COMMUNICATIONS COOPERATIVE )	REQUEST TO USE THE
FOR SUSPENSION OR MODIFICATION OF )	OFFICE OF HEARING
LOCAL DIALING PARITY RECIPROCAL )	EXAMINERS
COMPENSATION OBLIGATIONS )	TC06-181

On October 24, 2006, the Public Utilities Commission (Commission) received an Application from Venture Communications Cooperative (Venture) for suspension or modification of local dialing parity reciprocal compensation obligations.

South Dakota Telecommunications Association (SDTA) filed to intervene on November 6, 2006. Rural Cellular Corporation (RCC) and Alltel Communications, Inc, (Alltel) filed to intervene on November 13, 2006. At a regularly scheduled meeting of November 14, 2006, the Commission granted intervention to SDTA. The Petitions to Intervene of RCC and Alltel were deferred. On November 17, 2006, the Commission received Venture's Responses to RCC and Alltel's Petitions to Intervene. On December 5, 2006, the Commission received Venture's Supplement to Petition for Suspension. At a regularly scheduled meeting of November 20, 2006, the Commission granted intervention to RCC and Alltel.

On January 12, 2007, the Commission received a Request to Use Office of Hearing Examiners pursuant to SDCL 1-26-18.3 from Alltel. On January 26, 2007, the Commission received an Opposition to Request of Alltel Communications, Inc. to Use the Office of Hearing Examiners from Venture and SDTA. On January 30, 2007, the Commission received Alltel's Reply to Opposition to Request of Alltel to Use the Office of Hearing Examiners. On January 31, 2007, the Commission received Alltel and RCC's Response and Motion to Dismiss the Venture Petition for Suspension or Modification.

The Commission has jurisdiction in this matter pursuant to SDCL Chapters 1-26 and 49-31, and 47 U.S.C. sections 251 and 252. The Commission may rely upon any or all of these or other laws of this state in making its determination.

At its February 1, 2007, meeting, the Commission considered this matter. The Commission voted to grant Alltel's request to use the OHE. The Commission finds that SDCL 1-26-18.3, in conjunction with SDCL Chapter 1-26D, gives Alltel the right to use the OHE. The Commission shall transfer this docket to the OHE. Pursuant to SDCL 1-26D-6, after the OHE issues its proposed decision, the Commission shall accept, reject, or modify the findings, conclusions, and decision.

It is therefore

ORDERED, that Alltel's request to use the OHE is granted.

Dated at Pierre, South Dakota, this 6<sup>th</sup> day of February, 2007.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Aldine Kalbo

Date: 2/6/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Dustin M. Johnson  
DUSTIN M. JOHNSON, Chairman

Gary Hanson  
GARY HANSON, Commissioner

Steve Kolbeck  
STEVE KOLBECK, Commissioner